



PERMANENT MEMORANDUM 20 EMPLOYEE LEAVE

Monitoring Unit: Office of Human Resource Management
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I. PURPOSE

This policy is intended to define and incorporate in one issuance the various types of leaves of absence and policies related thereto in order that development of procedures and maintenance of records may be accomplished in accordance with University, State, and Federal regulations.

II. POLICY

Employees shall not absent themselves from their duties without proper authorization.

It is the responsibility of the department head, supervisor, or other designee to receive and review requests for all leaves of absence for employees and approve or disapprove such requests in accordance with University policy and to ascertain that accurate leave records are maintained for reports on leave accrued and leave taken. No employee shall approve or solely maintain records for their own leave.

III. DEFINITIONS

Academic Employees

Faculty – Members of the academic staff with the rank of Instructor or above and equivalent ranks. For the purposes of leave accrual and use for full-time faculty, the work day is deemed to be eight hours and the work week is deemed to be 40 hours.

Other Academic Employees – Members of the academic staff below the rank of Instructor or equivalent and other personnel with academic responsibilities not holding faculty rank (See Article II. Sec. 1. A.1. b. of the Regulations of the Board of Supervisors).

Annual Leave – Leave with pay granted to an employee for the purpose of rehabilitation, restoration, and maintenance of work efficiency, Family and Medical Leave (FMLA), or transaction of personal affairs.

Civil Leave – Leave with pay without loss of annual or sick leave granted an employee to perform jury duty; to appear as a subpoenaed witness before a court, public body, or commission; to perform civil duties in connection with national defense or other civil emergencies; or to vote.

Classified Employees – All employees covered by the provisions of the Civil Service System of the State of Louisiana. A full-time classified employee is a classified employee who works a standard work week of 40 hours.

Compensatory Leave – Leave granted to eligible employees in lieu of cash compensation for overtime work or hours worked on a holiday or other day when the University or applicable component of the University is closed.

Emergency Leave – Leave with pay granted to employees who have been affected by extraordinary conditions, as designated by the President, at the time of emergency.

FMLA Leave – Leave covered by the Family and Medical Leave Act.

Holiday Leave – Leave with pay for holidays as specified in PM 5.

Leave of Absence – Permission to be absent from duty.

Leave of Absence without Pay – Unpaid leave granted to employees for good cause under stipulated conditions.

Military Leave – Leave granted to an employee who is ordered to duty with troops or at field exercises or for instruction with any branch of the Armed Forces, including the National Guard.

Personal Leave – Leave of up to two days (16 hours) per *academic* year granted to *unclassified* employees who do *not* receive annual leave. It is granted for personal purposes of the employee. Personal leave is charged to and deducted from the employee's sick leave for the current academic year or sick leave accumulated as provided by La R.S. 17:3311.

Unclassified Employee - a member of the unclassified staff on full-time status as defined by the appointment; for the purposes of leave accrual and use, the work day is deemed to be eight hours and the work week is deemed to be 40 hours; administrative officers and unclassified staff, and employees in positions specifically exempt from classified service under Article X of the Constitution of the State of Louisiana. Non-exempt hourly as defined by the Department of Labor and are referred to as unclassified or 'professional hourly'; other positions exempt from classified service by special action of the State of Louisiana, Department of Civil Service; an employee whose appointment is for a period of more than 180 calendar days or who has been employed for more than 180 consecutive calendar days by a successive uninterrupted appointment. This category excludes transient employees (employees appointed under Civil Service Rule 4.1(d)1)

Sabbatical Leave – Leave granted to faculty for study and research, the object of which is to enable the faculty to increase their professional efficiency and usefulness to the University. (See PM 12 for further information)

Sick Leave – Leave with pay granted an employee who is suffering with an illness or injury which prevents the employee from performing their usual duties and responsibilities or who requires medical, dental, or optical consultation or treatment, or who requires the need to care for an immediate family member with similar circumstances.

Special Leave – Leave with pay without loss of annual leave or sick leave granted by the President for extenuating circumstances.

Temporary Employee – An employee appointed for 180 calendar days or less.

Transient Employee – An employee appointed under Civil Service Rule 4.1 (d)1). Transient

employees are not eligible to earn leave.

IV. ACADEMIC AND UNCLASSIFIED EMPLOYEES

A. Annual and Sick Leave

1. Annual Leave and Sick Leave Accrual Rates

Employees on an academic year basis do not accrue annual leave but do accrue sick leave. Information on the accrual of sick leave is given in Leave Accrual Option II (See below).

Academic and unclassified employees on fiscal year appointments of greater than 50% effort accumulate annual leave and sick leave in accordance with one of the options listed below. Transient, contingent, W.A.E. and student employees do not earn leave. Academic and unclassified employees on appointments of 50% effort or less do not earn leave.

Annual leave for eligible academic and unclassified employees is allotted on two schedules. Each new eligible academic and unclassified employee must make a choice between Annual Leave Accrual Option I or Annual Leave Accrual Option II. The choice must be made during the first 30 days of employment and that election choice is irrevocable for the length of employment. Employees who are appointed for less than full-time but who are eligible to earn leave shall accrue leave in proportion to their percentage of full-time effort.

2. Leave Accrual Option I (University Plan)

Annual leave shall be earned by eligible employees in accordance with the following schedule. Sick leave shall be earned in accordance with Option II below:

Length of Employment	Working days
15 or more years of service	Two working days or 16 hours per month with no limitation on total accumulation
10 years, but less than 15 years of service	One and three-fourths (1 $\frac{3}{4}$) working days or 14 hours per month with no limitation on total accumulation
Less than 10 years of service	One and three-fourths (1 $\frac{3}{4}$) working days or 14 hours per month, with total accumulation limited to 22 working days (176 hours – regardless of percent effort)

3. Leave Accrual Option II (Classified Plan)

Annual and sick leave shall be earned by eligible employees in accordance with the following schedule. There is no limitation on total accumulation of sick leave

balance.

Length of Employment	Working days
15 or more years of service	Two working days or 16 hours per month
10 years, but less than 15 years of service	One and three-fourths (1 $\frac{3}{4}$) working days or 14 hours per month
Five years but less than 10 years of service	One and one-half (1 $\frac{1}{2}$) working days or 12 hours per month
Three years, but less than five years of service	One and one-fourth (1 $\frac{1}{4}$) working days or 10 hours per month
Less than three years of service	One working day or eight hours per month

4. Accrual Conditions

- a. Leave accrual begins with the appointment or continuation that extends employment beyond 180 days, provided employment is for greater than 50% effort. Leave is accrued in proportion to the percent of effort.
- b. For leave accrual purposes, years of service is based on full-time equivalent total state service in pay status as defined below. Academic year employees shall accrue leave on the basis of one academic year equaling one full year of service. Employees appointed for less than full-time, but more than 50% effort, shall accrue leave in proportion to their percentage of full-time effort. Effective with appointments beginning on or after January 1, 1999, the following types of State service shall count toward service for leave accrual purposes.
 - i. All service as a classified employee.
 - ii. Service as an academic or unclassified employee at a Louisiana public institution of higher education, excluding service as a graduate assistant, resident, or fellow.
 - iii. Service as an unclassified employee under Civil Service Rules 4.1(d) 2. and 11.19(d).
 - iv. The President or Chancellor may authorize the counting of other unclassified state service when it was earned on an appointment that was of a recurring and essentially full-time nature (e.g., unclassified undersecretary at a major State agency).
- c. Accumulation of leave is measured in hours per month in pay status.
- d. No sick or annual leave is accrued while an employee is on sabbatical leave, educational leave of absence, leave-without-pay, or gratis employment.

- e. If an appointment is effective on the first working day of the month, leave accrual shall be based on a full month's service.
- f. An employee who is on leave-without-pay or employed for 50% or less effort for an entire calendar month does not accrue leave for that month. An employee in paid status and greater than 50% effort for at least half but not all of the working days in the month accrues one-half of their leave. An employee in paid status and greater than 50% effort for less than half the working days in the month does not accrue leave for that month.
- g. Accrual and conversion of leave for the purpose of determining retirement credit is based on regulations of the applicable retirement system.
- h. Changes with anniversary date of appointment: as an employee's years of service increase, the leave accrual rate will increase according to Leave Options I and II of this policy statement.
- i. An employee whose anniversary date of appointment falls on the 1st through the 15th of a month will accrue leave at the higher rate for the whole month.
- j. An employee whose anniversary date of appointment falls on the 16th through the end of a month will accrue leave at the lower rate for that month and will accrue at the higher rate on the first of the following month.

5. Academic-year employees:

- a. Employees appointed on an academic-year basis accrue sick leave when appointed for the summer school session or on summer research status in proportion to the full-time equivalent of appointment.
- b. A new employee begins to accrue sick leave if appointed concurrently for the summer school session or summer research and the succeeding academic year. A new employee appointed for the summer school session only does not accrue sick leave.
- c. Advance of Leave

Advancing of sick leave or annual leave credits is not permitted. Sick leave or annual leave cannot be shared or borrowed from the leave balances of other employees outside of an approved Crisis Leave program.

6. Restoration of Leave Credits Upon Re-employment

- a. Re-employment after Military Service:

All sick and annual leave accrued by an employee for which payment was not made at time of separation from the University to enter military service will be credited upon re-employment at the University immediately following such military service.

- b. All sick and annual leave accrued by an employee for which payment was not made upon resignation or upon layoff, but not retirement, will be credited to the employee if re- employed by the University within a period of five years from date of separation, provided that the employee is eligible to accrue leave and termination was not made for cause (disciplinary action). An employee must be re- employed in a benefit eligible position as a condition for using credited sick leave.

7. Status of Leave Upon Change in Pay Basis

Employees on a fiscal pay basis who are to be transferred to an academic basis should be permitted, where feasible, to take any accumulated annual leave prior to the effective date of such change in status. Any annual leave not taken by the effective date of such change in status is to be retained to the credit of the employee for future use if the employee changes back to a fiscal year appointment, or for payment and/or service credit upon separation or retirement in accordance with applicable policies.

8. Transfers Within the University or From Another State Agency to the University

- a. When an employee changes employment status within the University (Faculty/Other Academic/Unclassified/Classified) or from another State Agency to the University without a break in service of one or more working days, accrued annual and sick leave credits of the employee will be certified and credited to the leave record; provided that an employee cannot be given more leave credit than they could have accrued had they performed all of the service under the leave accrual regulations of the University.
- b. When the amount of annual leave transferred exceeds 176 hours and the employee has less than 10 years of State service, if the employee selects Leave Accrual Option I, the employee may not be credited with any more leave until their balance falls below 176 hours or they attain 10 years of State service. (NOTE: Employees with greater than 176 hours should consider selecting Leave Accrual Option II.)
- c. There is no provision for receiving credit for any unused, unpaid annual or sick leave when a person is retired from another State agency and then employed by LSU.
- d. Academic and unclassified salaried employees do not accrue compensatory leave at the University, therefore, compensatory leave is not accepted for transfer with new academic or unclassified salaried employees.

9. Use of Leave

- a. Sick and annual leave are creditable at the end of the employee's pay period.
- b. Annual leave as defined in Section II of this policy may be used for any personal purpose (including care of a family member) at any time after it is credited contingent upon departmental or other designated approval. The approval of the use of annual leave is not automatic and may be denied or

restricted based on business necessity. The term of the leave and service commitments subsequent to the leave may not extend beyond the period for which support is committed to the position or contract.

- c. Sick leave as defined in Section II of this policy is granted an employee who is suffering with an illness or injury which prevents the employee from performing their usual duties and responsibilities or who requires medical, dental, or optical consultation or treatment, or who requires the need to care for an immediate family member with similar circumstances. Sick leave may be used any time after it is credited. The term of leave and service commitments subsequent to the leave may not extend beyond the period for which support is committed to the position or contract. An immediate family member is defined as a spouse, parent, or child of an employee.
- d. Minimum charge to leave records shall not be less than a one-half hour initial increment. Beyond the first one-half hour, annual leave may be taken in quarter-hour increments.
- e. Employees on academic-year appointment become eligible to use accumulated sick leave during summer appointments only after having completed at least the first day of service in the summer contractual period.
- f. A written certification from a registered physician or other acceptable proof of disability is required for sick leave of 10 or more consecutive workdays, as determined by the respective institution's human resource office unless a shorter time period is designated by the President or Chancellor.
- g. The use of annual leave immediately preceding resignation, termination, or retirement will be limited to the amount of annual leave the employee earns during a calendar year. Where justifiable, exceptions may be made by the President or Chancellor.

10. Reporting of Leave

The appropriate unit of measure to maintain leave records is the hour. A full-time academic or unclassified employee will be assumed to have an 8-hour workday and a 40-hour workweek for purposes of crediting leave in hours each month, and eight (8) hours leave is to be charged for a workday's absence and forty (40) hours for a workweek's absence.

V. LEAVE OTHER THAN ANNUAL AND SICK

A. Civil Leave

Leave with pay is granted to an employee while performing jury duty; when subpoenaed to appear as a witness before a court, public body, or commission (A request for such appearance from an appropriate authority may be honored without issuance of subpoena.), provided that for these purposes a plaintiff or defendant shall not be considered a witness; when performing emergency civil duties in connection with national defense or other civil emergencies; when an employee who is a member of the National Guard is ordered to active duty incident to occurrences of an extraordinary or emergent nature which threatens peace and property; or when engaged in voting.

University employees whose scheduled workday is between the hours of 7:30 a.m. and 5:00 p.m. on an election day, and who are unable to vote prior to or after their workday may be allowed, upon request of the employee and approval of the department head, time off with pay for voting in accordance with the following schedule:

Voting Residence Within:

Distance from campus	Leave Time
0-30 mile radius of the campus	2 hours leave
31-60 mile radius of the campus	4 hours leave
61 or more miles radius of the campus	1 day leave

The department head, in accordance with the above schedule, will have the discretion of determining the amount of leave and when the time off will be given during the workday. Nothing in this policy prevents the department head from inquiring as to the reasons why the employee cannot vote prior to or after the workday.

B. Compensatory Leave

There is no provision for compensatory time or overtime payment when extra duty is required of academic and unclassified salaried employees to meet emergency or unusual work load needs consistent with the provisions of the Fair Labor Standards Act. Compensatory time may be earned by classified and unclassified hourly employees who perform work beyond their normal work schedule with the approval of or at the discretion of their supervisor or other administrator in lieu of payment for the time worked.

C. Holiday Leave

The holiday leave schedule can be found in PM 5. An employee does not receive holiday payment for a holiday which intervenes while the employee is in a leave-without-pay status.

D. Educational Leave

(Educational leave provisions are covered in PM 12)

E. Leave of Absence Without Pay

1. Leave of absence without pay may be granted to employees for good cause. Such leaves will be approved based upon the ability of the granting department to continue to provide on-going and necessary services. The term of the leave and service commitments subsequent to the leave may not extend beyond the period for which support is committed to the position or contract. Employees taking leave of absence without pay are expected to return to the University on the next work day after the approved leave period. Failure to return to work could result in job termination. Usually, but not necessarily, sick and/or annual leave are

exhausted before requests for leave of absence without pay are made. Good cause for granting leave of absence without pay may be interpreted to include, but not be limited by, the following: extended illness; need to provide care for members of the family; other circumstances covered by the Family and Medical Leave Act; education which will directly increase job effectiveness or in special situations, temporary employment outside the University when it is in the interest of public service and/or will be beneficial to the University upon the employee's return.

Leaves of absence without pay for a period of less than one year require supervisory approval through appropriate administrative channels to and including the President (for LSU A&M) or Chancellor or their designee. Leaves of absence without pay for a period of more than two years must be submitted in writing prior to the expiration date with justification for the request. Such extensions require approval of the President through the Chancellor.

2. Leave-without-pay does not count as credited service for any purpose; however, credited service before and after leave-without-pay shall count in the same manner as if service had been continuous.
3. Sick and annual leave are not accrued while an employee is on leave-without-pay.
4. Reporting of leave-without-pay
 - a. When leave-without-pay is taken for 30 days or more, the appropriate campus form concerning disposition of insurances must be completed, signed by the employee and submitted with the request.
 - b. When an employee is on leave-without-pay because accumulated sick and/or annual leave have been exhausted and the employee requests additional leave, the request must state the reason.

F. Military Leave

1. Employees who are members of a reserve component of the Armed Forces of the United States or of the National Guard shall be granted a leave of absence. Such leave shall be given without loss of pay, annual or sick leave or efficiency rating, for the first fifteen (15) days in any calendar year and when relieved from duty, the employee shall be restored to their position. Any portion of a military leave in excess of fifteen (15) working days during a calendar year shall be unpaid/without pay, unless chargeable against accrued annual leave except as described in 2. below.
2. Employees on military leave whose military base pay is less than their state base pay shall be paid the difference between their military base pay and their state base pay in their regular position. This is per Act 327 of the 2003 Regular Session and Civil Service Rule 11:26.

G. Sabbatical Leave – (Sabbatical leave provisions are covered in PM 12)

H. Special Leave

Leave with pay may be granted to an employee:

1. If the Chancellor or President determines that because of local conditions or act of

God, it would be impossible or impractical for the employee to report to work.

2. To participate in a State Civil Service examination or to take other examinations pertinent to the employee's position.
3. To report for a pre-induction physical incident to possible entry into the U.S. Military Forces.
4. For limited periods of assignments to other than regular duties which would be beneficial to both the employee and the University.

I. Funeral Leave

To attend the funeral or burial rites of a parent, stepparent, child, stepchild, brother, stepbrother, sister, stepsister, spouse, mother-in-law, father-in-law, grandparent, or grandchild. A maximum of two days special leave may be granted on any one occasion.

J. Personal Leave – Academic and Unclassified Employees on Academic Year Employment

1. Regular full-time members of the academic staff who do not receive annual leave, shall be allowed to use up to two (2) days of Personal Leave per academic year for personal purposes.
2. All employees requesting Personal Leave shall give their immediate supervisor at least twenty four (24) hour notice prior to taking the leave.
3. Personal Leave used shall be deducted from the employee's sick leave for the current year or sick leave accumulated as provided in R.S. 17:3311.
4. Personal Leave shall not be accumulated from year- to-year, nor shall it be compensated in any manner, including upon death or retirement. (Source: Act 508 of the 2008 Regular Session.)

VI. PAYMENT OF LEAVE

A. Terminal Payment of Leave

1. Terminal payment of leave for an academic or unclassified employee may not exceed an amount representing:
 - a. 300 hours of unused annual leave at the time of retirement or termination for any reason.
 - b. 200 hours of unused sick leave upon retirement, as defined in b. below, or death prior to retirement.
2. For Optional Retirement Plan (ORP) members, eligibility for sick leave payment upon retirement requires that the employee meet the age and service retirement eligibility requirements of the Teachers' Retirement System of Louisiana.

- a. All personnel actions processed to effect terminations, retirements, or transfers must show the amount of paid and unpaid annual and sickleave.
- b. Terminal leave payments are based on the employee's annual base salary, not including any supplements, on the effective date of payment. The hourly rate for leave payments shall be calculated as follows:
 - i. Base fiscal year (12 month) annual salary divided by 2080;
 - ii. Base academic year (9 month) annual salary divided by 1440.
 - iii. Convert part-time employee's salary to full-time prior to calculating the leave payment by dividing the annual salary by the percent effort.
- c. At the time of retirement, unused, accumulated sick leave and/or annual leave may be eligible for the conversion of additional service credit in accordance with the rules of the applicable retirement system.
- d. The terminal leave payment for a fiscal year employee who transfers to an academic year appointment will be made at the time of separation and will be based on the academic year formula and the salary rate in effect at the time of separation.

B. Worker Compensation Payments

When an employee is absent from work due to disabilities for which he/she is entitled to Worker's Compensation, the employee must use sick and annual leave payments to supplement Worker's Compensation payments to the equal of the regular salary. The employee will be re-credited with an amount of leave equivalent to the value of the Worker's Compensation check.

In the event an individual receiving Worker's Compensation payments and/or sick or annual leave payments should accept other employment, the Worker's Compensation payments and the sick or annual leave payments may or may not be continued, depending upon the circumstances and in accordance with the law.

VII. THE FAMILY AND MEDICAL LEAVE ACT

Eligible employees are entitled to be absent from work for a qualifying event covered by and in accordance with the provisions of the Family and Medical Leave Act (FMLA). The following basic principles apply:

- A. FMLA-covered leave is leave-without-pay unless the employee has accrued paid leave (e.g., annual or sick) which is approved to be used to cover all or part of the absence in accordance with applicable leave regulations.
- B. An eligible employee is an employee of the University who:
 1. has been employed by the State for at least 12 months, and

2. has been employed for at least, 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave.
- C. The absence must be for one of the following qualifying events:
1. for birth of son or daughter, and to care for the newborn child
 2. for placement with the employee of a son or daughter for adoption or foster care;
 3. to care for the employee's spouse, son, daughter, or parent with a serious health condition as defined by the FMLA;
 4. because of a serious health condition, as defined by the FMLA, that makes the employee unable to perform the functions of the employee's job.
- D. Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parents is a military member on covered active duty.
- E. An eligible employee may also take up to 26 workweeks of FMLA leave in a single 12-month period: to care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member (military caregiver leave).
- F. An eligible employee is entitled to a total of 12 workweeks of absence during a 12-month period using the "first usage" method of determining the 12-month period as defined by the FMLA.
- G. Each campus shall have responsibility for developing its own specific policies and procedures for implementation of the FMLA.

VIII. CLASSIFIED EMPLOYEES

The provisions of the Louisiana Department of Civil Service as provided in the Civil Service Rules and the Civil Service Manual are applicable to leave policies and procedures for classified employees.

A. Standard Workweek for Classified Employees

The standard workweek of each full-time classified employee shall be 40 hours except that the Chancellor, with the approval of the Civil Service Commission, may specify a workweek exceeding 40 hours for employees in specific classes of positions within the campus or for employees in specific divisions or activities within the campus. When the services of an employee are not needed on a full-time basis (40 hours per week), a regular tour of duty on a part-time basis may be established.

Following are some additional University administrative procedures applicable to classified employees:

University policy does not provide for advancing sick or annual leave credits when an

employee has exhausted all accrued credits.

B. Application and/or certification is required when using leave.

C. A written certification from a registered physician or other acceptable proof of disability is required for sick leave of ten (10) or more consecutive workdays, unless a shorter time period is designated by the Chancellor.

Please refer to PM-12 for educational leave privileges.

Leave covered by the Family and Medical Leave Act (FMLA) is outlined above.